



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (August 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: August 22, 2017

TIME: 10:05 AM

WSR 17-17-131

Agency: Department of Labor and Industries

Effective date of rule:

Permanent Rules

- ☐ 31 days after filing.
- ☒ Other (specify) October 22, 2017 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of this adoption was to update the logging safety standards of Chapter 296-54 WAC Safety Standards – Logging operations, per multiple petitions that were received from the Washington Contract Loggers Association (WCLA) in 2010 and 2014. The Department of Labor and Industries (L&I) started rulemaking in response to the petitions. However, in 2012, L&I put their rulemaking efforts on hold to launch the Logger Safety Initiative (LSI). The WCLA petitioned L&I again in 2014 to reopen rulemaking efforts following the successful launch of the LSI program. Also, references, formatting and minor housekeeping changes were updated throughout the chapter specified above.

Citation of rules affected by this order:

- New:**
- WAC 296-54-520 Chain shot awareness and prevention
 - WAC 296-54-52001 Chain shot awareness and prevention training
 - WAC 296-54-52003 Cutting system inspection
 - WAC 296-54-52005 Cutting system maintenance
 - WAC 296-54-52007 Cutting system operation
 - WAC 296-54-99015 Appendix 6 – Sample Chain Shot Training Program
- Repealed:**
- WAC 296-54-595 Transporting crews
 - WAC 296-54-59510 Speeders used to transport crews
 - WAC 296-54-59520 Trailers used to transport crews
 - WAC 296-54-597 Railroads
 - WAC 296-54-59710 Railroad construction and maintenance
 - WAC 296-54-59720 Railroad Operations
 - WAC 296-54-59730 Railroad Maintenance – Loading or Unloading
- Amended:**
- WAC 296-54-501 Scope and Application
 - WAC 296-54-503 Variance
 - WAC 296-54-505 Definitions
 - WAC 296-54-507 Employer's responsibilities
 - WAC 296-54-509 Employee's responsibility
 - WAC 296-54-511 Personal Protective Equipment (PPE)
 - WAC 296-54-51110 Head protection
 - WAC 296-54-51120 Eye and Face Protection
 - WAC 296-54-51130 Hearing Protection
 - WAC 296-54-51140 Hand Protection
 - WAC 296-54-51150 Respiratory Protection
 - WAC 296-54-51170 Foot Protection
 - WAC 296-54-51190 Highly visible clothing
 - WAC 296-54-513 Arrangement of work areas and emergency contact
 - WAC 296-54-515 Accident prevention program
 - WAC 296-54-51510 Safety and health meetings
 - WAC 296-54-51520 First-aid training
 - WAC 296-54-51530 First-aid kits
 - WAC 296-54-517 Lockout/tagout procedures
 - WAC 296-54-519 Miscellaneous requirements
 - WAC 296-54-521 Motor vehicles
 - WAC 296-54-523 Inspection and repair of equipment and vehicles
 - WAC 296-54-527 Seat belts
 - WAC 296-54-529 Overhead electrical lines clearance
 - WAC 296-54-531 Truck loads
 - WAC 296-54-537 Chain saws

WAC 296-54-539 Falling and Bucking – General
 WAC 296-54-53910 Falling and bucking – Falling
 WAC 296-54-53920 Falling and bucking – Bucking
 WAC 296-54-53930 Falling and bucking--Danger trees
 WAC 296-54-53940 Falling and bucking – spring boards and tree jacking
 WAC 296-54-541 Tree Pulling
 WAC 296-54-543 Mechanized falling
 WAC 296-54-545 Climbing equipment and passline
 WAC 296-54-54730 Rigging--Shackles
 WAC 296-54-54740 Rigging – Straps. Straps must be used according to the following requirements:
 WAC 296-54-54750 Rigging – Blocks
 WAC 296-54-54760 Rigging--Hanging blocks
 WAC 296-54-557 Wire rope
 WAC 296-54-55720 Wire rope – Splicing
 WAC 296-54-55730 Wire rope – attaching and fastening
 WAC 296-54-561 Guylines
 WAC 296-54-563 Guying tail/lift trees
 WAC 296-54-567 Rigging skylines
 WAC 296-54-569 Anchoring
 WAC 296-54-573 Logging machines – General
 WAC 296-54-57350 Logging machines – tractors and skidders
 WAC 296-54-57355 Logging machines – Protective structures for operators
 WAC 296-54-575 Landing area
 WAC 296-54-577 Yarding, skidding, landing
 WAC 296-54-58130 Helicopter logging – fueling area
 WAC 296-54-583 Loading logs
 WAC 296-54-589 Log trucks - general
 WAC 296-54-58950 Log Trucks – Wrappers and binders
 WAC 296-54-591 Stationary log truck trailer loading
 WAC 296-54-593 Log unloading, booms and rafting – storage and sorting areas – general
 WAC 296-54-59340 Log unloading, booms and rafting grounds – dry land sorting and storage
 WAC 296-54-601 Signals and signal systems
 WAC 296-54-604 Radio signaling permits
 WAC 296-54-605 Radio systems used for voice communication, activation of audible signals, or control of equipment.
 WAC 296-54-607 Radio signal systems – Specifications and test procedures
 WAC 296-54-701 Wood spar trees
 WAC 296-54-70110 Wood spar trees – Guylines
 WAC 296-54-705 Truck and equipment maintenance shops
 WAC 296-54-99003 Appendix 2—Sample minimum lockout/tagout procedure

Suspended: N/A

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050 and 49.17.060

Other authority: Chapter 49.17 RCW

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 17-07-104 on March 21, 2017 (date).

Describe any changes other than editing from proposed to adopted version: Below is a summary of changes from the proposed language:

WAC 296-54-51160 Leg protection.

- Added “1998” to the ASTM title in subsection (1), which indicates the earliest year for leg protection requirements for employers to follow.
- Added a new Note after subsection (1) that states “You may use leg protection that meets newer versions of the ASTM standard” for those employers that have previously purchased leg protection that still meet the requirements.

WAC 296-54-99015 Appendix 6 – Sample Chain Shot Training Program.

- Section 1 General Information, bullet (3): Updated 230 feet to 250 feet to be consistent with what is in the definition of Chain Shot in WAC 296-54-505, Definitions and in WAC 296-54-52001 Chain Shot Awareness and Prevention Training. It now reads as follows:

“The “shot cone zone” is the area along the plane of the guide bar where pieces of a broken chain usually travel unless pieces are deflected. The SCZ angles out approximately at a 15 degree angle on both sides of the guide bar and a distance that possibly exceeds ((230)) 250 feet.”

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	<u>6</u>	Amended	<u>66</u>	Repealed	<u>7</u>
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The number of sections adopted in the agency's own initiative:

New	<u>6</u>	Amended	<u>66</u>	Repealed	<u>7</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>6</u>	Amended	<u>66</u>	Repealed	<u>7</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Date adopted: August 22, 2017

Name: Joel Sacks

Title: Director

Signature:

